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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,538	11/30/2001	Huy P. Nguyen	PALM-3778	9994

7590 02/17/2004

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EXAMINER

FOULADI SEMNANI, FARANAK

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 02/17/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,538

Applicant(s)

NGUYEN ET AL.

Examiner

Faranak Fouladi

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application, filed on 11/30/01; IDS, filed on 5/23/03 and Amendment A, filed on 12/01/03.
2. Claims 1-20 are pending in the case, with claims 1, 8 and 16 being independent.
3. Claims 21-24 has been cancelled.
4. The present title of the application is "Handheld computer having moveable segments that are interactive with an integrated display" (as originally filed).
5. **THIS ACTION IS MADE FINAL.**

Specification

6. The disclosure is objected to because of the following informalities: On Page 39 line 10 "the segment" should read "the second segment".

Appropriate correction is required.

Response to Amendment

7. The amendment to the claims filed on 12/01/03 does not comply with the requirements of 37 CFR 1.121(c) because the text of deleted matter has not been shown in the double brackets. Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c) which states:

(c) ***Claims.*** Amendments to a claim must be made by rewriting the entire claim with all changes (*e.g.*, additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the

claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).

(2) *When claim text with markings is required.* All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of “currently amended,” and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of “currently amended,” or “withdrawn” if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as “withdrawn—currently amended.”

Claim 1 (original) a handheld computer comprising:
a processor module comprising a processor and a display;
a sliding display cover moveably coupled to said processor module;
a sensing device coupled to said processor module and to said sliding display cover for providing a signal regarding the relative position of said processor module with respect to said sliding display cover; and,
a device driver for performing an action in response to said signal.”

Claim 1 (currently amended) a handheld computer comprising:
a processor module comprising a processor and a display;
a sliding display cover moveably coupled to said processor module;
a sensing device coupled to said processor module and to said sliding display cover for providing [[a]] geometric information indicating [[the]] a relative position of said processor module with respect to said sliding display cover; wherein said geometric information is provided for a plurality of positions; and,
a device driver for performing an action in response to said signal.”

Since the reply filed on 12/01/03 appears to be *bona fide*, the amendment has been entered and has been acted upon by examiner.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In independent claim 1, "wherein said geometric information is provided for a plurality of positions", is a new limitation, which has not been properly described in the application as filed.

The second paragraph on page 41 of specification lines 8-15 states "When the touch panel display 1804 is used as the sensing device, the information concerning the geometric relationship between the sensing features, the edge of the keypad slider 1802 and the touch panel display coordinates is available to the processor. Likewise, the signal from any other type of sensing device would be correlated with the relative position of the keypad slider 1802 with respect to the processor module 1801." This Paragraph does not disclose, "wherein said geometric information is provided for a plurality of positions".

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2672

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitation "said signal" in last line of the amended claim.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claim 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Iwata et al. U.S Patent 6,535,749 (hereafter, Iwata).

12. Regarding Independent claim 1, "a handheld computer comprising: a processor module comprising a processor and a display [Iwata disclose in col. 13 line 7 and line 12-15 and in Fig. 3]; a sliding display cover moveably coupled to said processor module [Iwata disclose in col. 8 line 35]; a sensing device coupled to said processor module and to said sliding display cover for providing geometric information indicating a relative position of said processor module with respect to said sliding display cover, wherein said geometric information is provided for a

plurality of positions [Iwata disclose in col. 5 line 63-64]; and, a device driver for performing an action in response to said signal" [Iwata discloses in col. 64-67].

13. Regarding dependent claim 2, "the handheld computer of claim 1, wherein said action is a visual configuration of said display." Iwata disclose in col. 5 lines 63-64.

14. Regarding dependent claim 3, "the handheld computer of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with another device using said wireless transmitter."

Iwata disclose in Fig. 3 a "*radio transmission*" which is interpreted to be "wireless transmitter" and further Iwata disclose "wherein said action is the initiation of communication with another device using said wireless transmitter." in col. Col. 1 line 42-56 by stating "*Telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1. Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area covered by cover 7. A telephone mode and an electronic note mode are switched based on the output from a cover switch 9, which detects the opened/closed status of cover 7. When the cover is closed, the telephone mode is set, enabling the user to use the equipment as a regular mobile telephone. Meanwhile, the electronic note mode is set as the cover is opened, thus allowing the user to use it as an ordinary electronic note.*"

15. Regarding dependent claim 4, "the handheld computer of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with an external device, using said wireless transmitter." Iwata disclose in col.1 line 42-56.
16. Regarding dependent claim 5, "the handheld computer of claim 1, wherein said sensing device is a non-contact sensor device." Iwata disclose in col. 28 lines 59-60 by stating "*a means for detecting the door opened/closed*" and therefore sensing device could be a non-contact sensor device.
17. Regarding dependent claim 6, "the handheld computer of claim 1, wherein said display is a touch panel display forming a part of said sensing device." Iwata disclose in col. 29 lines 63-65.
18. Regarding dependent claim 7, "the handheld computer of claim 1, wherein said sliding cover comprises an input device coupled to said processor module." Iwata disclose in col. 1 line 46-48.
19. Claims 8 -10 recite method steps performed by the apparatus of claims 1 and 3; therefore they are similar in scope and rejected under the same rationale.

20. Regarding dependent claim 11, "a method as described in claim 8 wherein said action is a display of related additional information to said portion of said information." Iwata disclose in col. 7 lines 34-42 and col. 54-58.

21. Regarding dependent claim 12, "a method as described in claim 8 wherein said selection device is a key." Iwata disclose in col. 8 lines 31-35.

22. Regarding dependent claim 13, "a method as described in claim 8 wherein said sliding cover comprises a keyboard." Iwata disclose in col. 1 line 46-48 and col. 22 lines 64-65.

23. Regarding dependent claim 14, "a method as described in claim 8 wherein said sliding cover further comprises a microphone." Iwata disclose in col. 8 lines 11-16.

24. Regarding dependent claim 15, "a method as described in claim 8 wherein said sliding cover further comprises a speaker." Iwata disclose in col. 8 lines 11-16.

25. Claims 16-20 recite a computer readable medium containing executable instructions for executing the method of claims 8-11. It is inherent to have a medium configured to store or transport computer readable code in a computer system. For example compact disc has been included and used in the computer

systems since 1990s or magnetic data storage devices have been used since 1980s. Also Iwata disclose a software application included in his handheld computer in col. 30 lines 58 – col. 31 line 10.

Response to Arguments

26. Applicant's arguments filed 12/01/03 have been fully considered but they are not persuasive.

27. Applicant argues on page 9 of Amendment in third paragraph "*In contrast to Iwata, the present invention provides geometric information regarding the relative position of the cover over a range of positions, as discussed in section G.*"

Section G of specification describe in the second paragraph on page 41 line 8-12 the availability of the information concerning the geometric relationship between the sensing features, the edge of the keypad slider 1802 and the touch panel display coordinates to the processor. But it has been described in the same page (page 41) third paragraph lines 17-18 that "the processor of the handheld device 1800 uses the available position information..." and the usage of the geometric information by processor has not been described. If "geometric information" is the same as "position information" then Iwata disclose this limitation in col. 5 lines 60-67.

28. Applicant argument on page 10, second paragraph regarding the rejection of claim 8 on the grounds that Iwata fails to teach or suggest each and every element of the invention as claimed in claim 8 is not persuasive.

Applicant further argues "specifically, lwata fails to teach or suggest "positioning an edge of said sliding cover adjacent to a portion of said information on said display screen by sliding said sliding cover relative to said display screen.""

But "positioning an edge of said sliding cover adjacent to a portion of said information on said display screen by sliding said sliding cover relative to said display screen." is part of the mechanical functionality of any sliding cover that can be done manually.

For example an edge of a sliding cover of a handheld calculator can be positioned adjacent to a portion of information displayed on the calculator's screen by sliding the slid cover relative to screen.

Conclusion

29. THIS ACTION IS MADE FINAL.

30. Any this communication or earlier communications from the examiner should inquiry concerning be directed to **Faranak Fouladi** whose telephone number is **703-305-3223**. The examiner can normally be reached on Mon-Fri from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi** can be reach at **703-305-4713**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks


Washington, DC. 20231

Or faxed to: 703-872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Faranak Fouladi-Semnani
Patent Examiner
Art Unit 2672



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